

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JEANNE M. K.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

CASE NO. 2:21-cv-00449-JRC

ORDER GRANTING STIPULATED  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local Magistrate Judge Rule MJR 13. *See* Dkt. 3. This matter is before the Court on the parties' stipulated motion to remand the matter to the Commissioner for further consideration. Dkt. 26.

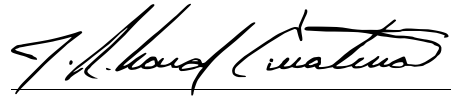
After reviewing the stipulated motion and the remaining record, the Court grants the motion and reverses and remands the matter for further proceedings including a *de novo* hearing under sentence four of 42 U.S.C. § 405(g).

Upon remand, the Appeals Council will instruct the ALJ to further develop the record and to:

- reevaluate the medical evidence of record pertaining to Plaintiff's edema/chronic venous insufficiency and mental impairments, and in particular the opinion of Jessica England, ARNP;
- reevaluate Plaintiff's severe physical and mental impairments, in particular her edema/chronic venous insufficiency, the "C" criteria for mental impairments, and whether any Listings are equaled or met;
- reevaluate Plaintiff's maximum physical and mental residual functional capacity;
- as warranted, reevaluate whether Plaintiff could perform past or other work in the national economy;
- obtain additional vocational expert evidence and resolving any conflicts as necessary;
- offer Plaintiff the opportunity for a hearing; and
- take any further action needed to complete the administrative record and issue a new decision.

The Court will consider plaintiff's proper request for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412. Given the facts and the parties' stipulation, the Court hereby orders that the case be **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

Dated this 16th day of December, 2021.



J. Richard Creatura  
Chief United States Magistrate Judge